

Philip H. Stillman, Esq. SBN# 152861
STILLMAN & ASSOCIATES
3015 North Bay Road, Suite B
Miami Beach, Florida 33140
Tel. and Fax: (888) 235-4279
pstillman@stillmanassociates.com

Attorneys for defendant R.F. WEICHERT V, INC.

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA**

Case No. 5:20-cv-00354-VKD

PETER STROJNIK,

Plaintiff,

vs.

R.F. WEICHERT V, INC.,

Defendant.

**DECLARATION OF PHILIP
STILLMAN IN SUPPORT OF MOTION
TO DISMISS FIRST AMENDED
COMPLAINT PURSUANT TO FED. R.
CIV. P. 12(B)(1) AND (6)**

Date: May 19, 2020
Time: 10 a.m.
Courtroom: 2, 5th Fl.

Hon. Virginia K. DeMarchi


DECLARATION OF PHILIP H. STILLMAN

I, Philip H. Stillman, hereby declare:

1. I am a member of the California State Bar in good standing, and counsel for Defendant in the above-captioned action. I have personal knowledge of the facts stated herein, and if called as a witness, I could and would testify competently to them.

2. In the related case, *Strojnik v. Bakersfield Convention Hotel I, LLC*, Case No. 1:19-cv-01098-LJO-JLT (E.D.Cal.), I represent the defendant, who does business as Bakersfield Marriott at the Convention Center. In connection with that case, my client provided me with a copy of a surveillance video from the hotel's surveillance camera on June 5, 2019 – just three months before Strojnik claims to have visited Defendant's Hotel in this case – which shows plaintiff Strojnik checking into the hotel. A true and correct copy of the surveillance video from my client can be viewed at <https://youtu.be/pnZ2I4yQ3ss>.

I declare under the penalty of perjury under the laws of the State of California and the United States that the foregoing is true and correct. Signed this 14th day of April, 2020 at Miami Beach, Florida.


By: _____ Philip H. Stillman, Esq.

PROOF OF SERVICE

I, the undersigned, certify under penalty of perjury that on April 14, 2020 or as soon as possible thereafter, copies of the foregoing Motion to Dismiss, Memorandum of Points and Authorities, the Declaration of Philip Stillman and Proposed Order was served electronically by the Court's ECF notice to all persons/entities requesting special notice or otherwise entitled to the same and via email to Plaintiff's email address listed with this Court.

By: /s/ Philip H. Stillman
Attorneys for R.F. RECHERT V, INC